

105TH CONGRESS
2D SESSION

S. 1825

To amend title 10, United States Code, to provide sufficient funding to assure a minimum size for honor guard details at funerals of veterans of the Armed Forces, to establish the minimum size of such details, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 24, 1998

Mrs. MURRAY (for herself, Mr. MURKOWSKI, and Mr. SARBANES) introduced the following bill; which was read twice and referred to the Committee on Armed Services

A BILL

To amend title 10, United States Code, to provide sufficient funding to assure a minimum size for honor guard details at funerals of veterans of the Armed Forces, to establish the minimum size of such details, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Veterans Burial Rights
5 Act of 1998”.

1 **SEC. 2. HONOR GUARD DETAILS AT FUNERALS OF**
 2 **VETERANS.**

3 (a) IN GENERAL.—(1) Chapter 75 of title 10, United
 4 States Code, is amended by adding at the end the follow-
 5 ing:

6 **“§ 1491. Honor guard details**

7 “(a) AVAILABILITY UPON REQUEST.—The Secretar-
 8 ies of the military departments shall provide honor guard
 9 details at funerals of veterans of the armed forces only
 10 upon request.

11 “(b) MINIMUM SIZE OF DETAILS.—The Secretaries
 12 of the military departments shall ensure that honor guard
 13 details at funerals of veterans of the armed forces consist
 14 of not less than five members of the armed forces (of
 15 whom one shall be a bugler for the playing of ‘Taps’).

16 “(c) AVAILABILITY OF APPROPRIATIONS.—Any
 17 amounts appropriated to the Department of Defense may
 18 be used in order to meet the requirement set forth in sub-
 19 section (b).”.

20 (2) The table of sections at the beginning of such
 21 chapter is amended by adding at the end the following:

“1491. Honor guard details.”.

22 (b) TREATMENT OF PERFORMANCE OF HONOR
 23 GUARD FUNCTIONS BY RESERVES.—Chapter 1215 of title
 24 10, United States Code, is amended—

25 (1) by striking out the following:

1 “[No present sections]”; and

2 (2) inserting in lieu thereof the following:

“Sec.

“12551. Honor guard functions: prohibition on treatment as drill or training.

3 **“§ 12551. Honor guard functions: prohibition on treat-**
 4 **ment as drill or training**

5 “Any performance by a Reserve of honor guard func-
 6 tions at the funeral of a veteran of the armed forces may
 7 not be considered to be a period of drill or training other-
 8 wise required.”.

9 (c) REPEAL OF LIMITATION ON AVAILABILITY OF
 10 FUNDS FOR HONOR GUARD FUNCTIONS BY NATIONAL
 11 GUARD.—Section 114 of title 32, United States Code, is
 12 amended—

13 (1) by striking out “(a)”; and

14 (2) by striking out subsection (b).

15 (d) APPLICABILITY.—The amendments made by this
 16 section shall apply to burials of veterans that occur on
 17 or after the date that is 180 days after the date of enact-
 18 ment of this Act.

19 (e) REPORT ON IMPLEMENTATION.—Not later than
 20 180 days after the date of enactment of this Act, the Sec-
 21 retary of Defense shall submit to Congress the directives
 22 prescribed by the Secretary of the Army, the Secretary
 23 of the Navy, and the Secretary of the Air Force in order

- 1 to carry out the requirements under the amendments
- 2 made by this section.

